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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,605	02/19/2002	Jun Fujimoto	401578	2306
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LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960			EXAMINER SHAPIRO, JEFFERY A	
			ART UNIT 3653	PAPER NUMBER
			MAIL DATE 12/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/076,605

Applicant(s)

FUJIMOTO, JUN

Examiner

Jeffrey A. Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 4, 6, 8, 10, 11, 45 and 49-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4, 6, 8, 10, 11, 45 and 49-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 49 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Nowhere in the specification is there any mention that the anomaly detection device detects an anomaly detection device when said portable safe is attached neither to said game-related device nor to said currency control device for too long a time, as written in the Claims. .

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6, 10-11 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassidy et al (US 5,615,625) in view of Dobbins (US 2002/0063034A1) and further in view of Blad et al (US 2002/0063035 A1).

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As described in Claim 49, Cassidy discloses a portable safe (20), a docking station (18) and a depot station (12), remote from said docking station, in which banknotes or checks are feed to or from said safe. Note that said safe is able to be transported by a single person depending upon the strength required to lift it. Said safe transfers information by RF interface (90) to a monitoring station, which can be construed as a currency control device. Said safe also transfers information using smartbox interface (106).

Regarding Claims 4,6, 10, 11, 49 and 50, Cassidy further discloses an anomaly detection device in the form of an electronic monitoring system within said safe (20) that obtains data from various sensors, such as optical sensors (56, 58 or 60) which detects if a sliding door or lid is open. The wall of the container has a foil conduction sensor (62) that detects destructive compromising of the safe walls, such as by drilling. Battery level, temperature and humidity sensors (66, 68 and 70) are also included.

Cassidy also discloses a level sensor (82) which detects orientation of the safe. RF interface (90) communicates anomaly detection to the remote monitoring station. A connection anomaly is detected if the time the safe is not connected to a depot or deposit station exceeds a predetermined limit. See col. 5, lines 19-23.

Regarding position, the safe contains a GPS receiver which transmits its position to the monitoring station. See col. 5, lines 63-67.

Regarding Claims 49 and 51, Cassidy does not expressly disclose, but Dobbins discloses use of a wirelessly networked safe system.

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At the time of the invention, it would have been obvious to one of ordinary skill in the art to have incorporated wireless networking, as taught by Dobbins, in Cassidy's portable safe system with deposit, depot and monitoring stations.

The suggestion/motivation would have been to reduce setup required as well as decrease the wiring required as well as costs. A wireless system is also well-known to provide greater flexibility, as evidenced by the incorporation of access by handheld devices (140) to the system. See Dobbins, paragraphs 20 and 21. This motivation and teaching provided by Dobbins as well as Cassidy's RF interface (90) and remote paging system, would have led one ordinarily skilled in the art to have incorporated wireless communications technology throughout Cassidy's system.

Cassidy does not expressly disclose, but Blad discloses using cassette systems with a gaming system as well as vending or "similar currency accepting machine[s]". See Blad, paragraph 19.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used Cassidy's cassette and docking system in a gaming environment, with the depot and deposit stations being game-related machines.

The suggestion/motivation would have been that gaming machines are functional equivalents to vending machines or ATM's in that they all concern currency handling. One ordinarily skilled in the art would have therefore found it obvious to use Cassidy's cassette and docking system in a gaming environment, as evidenced by Blad at paragraph 19.

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5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cassidy et al (US 5,615,625) in view of Dobbins (US 2002/0063034A1) and further in view of Blad et al (US 2002/0063035 A1) and further in view of Kenyon (US 4,819,866).

Cassidy discloses the currency handling system described above.

Cassidy does not expressly disclose, but Kenyon discloses a currency holding machine that is protected by impact sensors. See Kenyon, col. 9, lines 63-67.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have incorporated an impact sensor within Cassidy's portable cassette, as taught by Kenyon.

The suggestion/motivation would have been to improve the security of the cassette by detecting any shock or load indicative of an attempt to damage or gain entrance to the cassette. See again Kenyon, col. 9, lines 63-67.

6. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cassidy et al (US 5,615,625) in view of Dobbins (US 2002/0063034A1) and further in view of Blad et al (US 2002/0063035 A1) and still further in view of Wells (US 5,330,185).

Cassidy discloses the system described above.

Cassidy does not expressly disclose, but Wells discloses a gaming card vending machine (see figure 1) having card dispensing port (25, 27, 29, 33, 35 and 37), payment means (41) allowing payment by bills, coins or credit.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have replaced Cassidy's ATMs with game card vending machines having game card dispensing ports.

The suggestion/motivation would have been to manage distribution of currency to and from various cash transaction systems, as taught by Blad at paragraph 19.

Official notice is taken that Wells' gaming card vending machine would have had a currency discriminator and a currency cassette since it is well-known to handle currency using a discriminator to validate currency according to its genuineness and to store currency in a storage area after discrimination.

### ***Response to Arguments***

7. Applicant's arguments filed 10/2/07 have been fully considered but they are not persuasive. Applicant asserts that Applicant's amended claim language in Claim 49 overcomes the prior art, specifically, Cassidy's smart container system. Applicant has amended Independent Claim 49 to read "an anomaly detection device for detecting a connection anomaly occurring when said portable safe is attached neither to said game-related device nor to said currency control device for too long a time". First, note that the phrase "occurring when" indicates a conditional statement. Since the limitations after this phrase occur conditionally, Applicant's Claims are considered to read on Cassidy's system since Cassidy's system tracks the time the container is unattached from the deposit station and detonates a dye pack upon the elapsed time exceeding a particular time period. See again, Cassidy at col. 5, lines 19-23.

Additionally, Applicant asserts that since Cassidy's system is not described as monitoring the elapsed time in the direction of transportation from the depot station to the deposit station since there is no alleged security risk because no items are present in the container to steal. However, it would have been apparent to one of ordinary skill in the art to have monitored the time elapsed during any trip between two points where the container contains valuable items. For example, when Cassidy is combined with Blad's teaching of using a currency collection system in a gaming system, it would have been obvious to use the container to accept currency from a deposit station in the form of a casino gaming machine.

Also, note that it also would have been obvious to use the container to transport currency to replenish such a gaming machine with currency. Also note that Independent Claim 49 is an apparatus claim rather than a method claim. Functional language and conditional language can not be used to define over the prior art for patentability according to MPEP 2114. Also note that there are no limitations in the claims concerning the direction of transport. Also note that Cassidy's container has the same structure as Applicant's claimed device with the same functions. Even Applicant's device will not have valuable currency in the claimed container after all the currency is deposited in the deposit station. However, note that it would have been obvious to use Cassidy's system to deposit valuable currency items from the container to multiple deposit stations. Thus, it would have been obvious to monitor the time the container is removed from a deposit station until it is placed into another deposit station.



Additionally, the designation of what is valuable and what needs to be secured is an arbitrary designation according to what is valuable to the user. Nonetheless, Cassidy discloses the structure in the form of the container with circuitry and sensors that allow the time the container is not connected to any station to be monitored. For example, if the empty container itself is considered valuable, it would have been obvious to one of ordinary skill in the art to have monitored the time between connection of the container to any station regardless of whether or not the container contains items of value.

Therefore, the rejection of Claims 4, 6, 8, 10, 11, 45 and 49-51 is maintained.

### ***Conclusion***

**8. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JAS

December 9, 2007

  
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